

~~SEALED BY ORDER
OF COURT~~

00159 EJD

UNITED STATES DISTRICT COURT

NC

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA *FILED*

VS.

DANIEL REYES RUIZ

APR 04 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

INDICTMENT

COUNT ONE: (18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii) – Computer Intrusion)

COUNT TWO: (18 U.S.C. §§ 2511(1)(a) and (4)(a) – Interception of Wire or Electronic Communications)

A true bill.

Virginia R. DeMarch

Foreperson

Filed in open court this 4 day of April
A.D. 2019

Virginia R. DeMarch

United States Magistrate Judge

Bail. \$ Summons with return date of April 10, 2019



SEALED BY ORDER
OF COURT

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

FILED
APR 04 2019
SUSAN Y. SOONG
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

EJD
NC

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

CR 19 00159

12 Plaintiff,

) No.
) VIOLATIONS: Title 18, United States Code,
) Sections 1030(a)(2)(C) and (c)(2)(B)(ii) – Computer
) Intrusion to Obtain Private Information; Title 18
) United States Code, Sections 2511(1)(a) and (4)(a) –
) Interception of Wire or Electronic Communications

13 v.

14 DANIEL REYES RUIZ,

15 Defendant.

) [UNDER SEAL]

)
)
)
)

17
18 I N D I C T M E N T

19 The Grand Jury charges:

20 COUNT ONE: (18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(ii) – Computer Intrusion)

21 Beginning on or about May 18, 2018 and continuing to approximately June 20, 2018, within the
22 Northern District of California, and elsewhere, the defendant,

23 DANIEL REYES RUIZ,

24 intentionally accessed a protected computer used in interstate and foreign commerce without
25 authorization and exceeding authorized access, and thereby obtained information from a protected
26 computer, and the offense was committed in furtherance of a criminal and tortious act in violation of the
27 laws of the United States and the State of California, that is, defendant used the internet to access at least
28 18 separate email accounts without the knowledge or consent of the owner and thereby obtained

1 personal information, including private photographs and videos, which defendant downloaded and kept
2 for his own purposes, in violation of 18 U.S.C. §§ 1030(a)(2) and (c)(2)(B)(ii).

3
4 COUNT TWO: (18 U.S.C. §§ 2511(1)(a) and (4)(a) – Interception of Wire or Electronic
5 Communications)

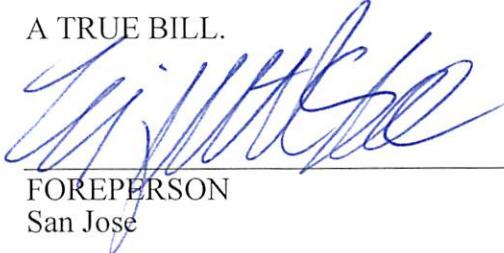
6 On or about June 20, 2018, within the Northern District of California, and elsewhere, the
7 defendant,

8 DANIEL REYES RUIZ,

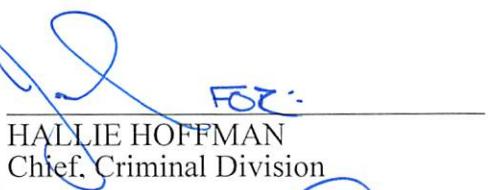
9 intentionally intercepted and endeavored to intercept, wire and electronic communications; that is, the
10 defendant intercepted and endeavored to intercept electronic mail messages on approximately 37
11 separate Yahoo/Oath email accounts, without the knowledge or consent of the users of those accounts,
12 all in violation of 18 U.S.C. §§ 2511(1)(a) and (4)(a).

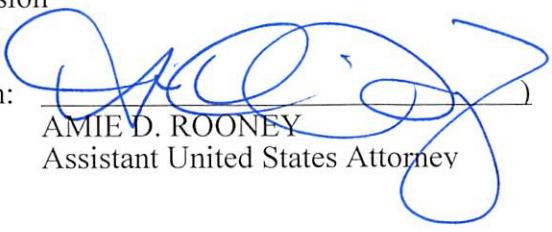
13
14 DATED: 4/4/19

A TRUE BILL.


15
16 FOREPERSON
17 San José

18 DAVID L. ANDERSON
19 United States Attorney

20 
21 HALLIE HOFFMAN
22 Chief, Criminal Division

23 (Approved as to form:
24 
25 AMIE D. ROONEY
Assistant United States Attorney

~~SEALED BY ORDER
OF COURT~~

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

OFFENSE CHARGED

Count One: 18 U.S.C. §§ 1030(a)(2) and (c)(2)(B)(ii) B - Computer Intrusion to Obtain Information

 Petty

Count Two: 18 U.S.C. §§ 2511(1)(a) and (4)(a) -- Interception of Wire or Electronic Communications

 Minor Misdemeanor Felony

PENALTY: Five years imprisonment, \$250,000 fine, three years supervised release, and \$100 special assessment.

CR 19

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Noelle Gothardt

 person is awaiting trial in another Federal or State Court, give name of court this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. ATTORNEY DEFENSE this prosecution relates to a pending case involving this same defendant prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on this form DAVID L. ANDERSON

 U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) AMIE D. ROONEY

PROCESS:

 SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

 Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:
100 E. 12th St., Ste. 1000, San Jose, CA 95113

Date/Time: April 12, 2019, 1:30 p.m. Before Judge: Virginia K. DeMarchi

Comments:

DEFENDANT - U.S.

DANIEL REYES RUIZ

DISTRICT COURT NUMBER

00159

EJD APR 04 2019
CLERK SUSAN Y. SOONG
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior summons was served on above charges2) Is a Fugitive3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
been filed? No} If "Yes"
give date
filedDATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

 This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

 SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

 Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:
100 E. 12th St., Ste. 1000, San Jose, CA 95113

Date/Time: April 12, 2019, 1:30 p.m. Before Judge: Virginia K. DeMarchi

~~DEALED BY ORDER
OF COURT~~UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

APR 04 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF COURT
SAN JOSE, CALIFORNIA

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. DANIEL REYES RUIZ

CASE NUMBER:

CR 19 CR 00159

Is This Case Under Seal?

Yes No

Total Number of Defendants:

1

2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes

No

Venue (Per Crim. L.R. 18-1):

SF

OAK

SJ

Is this a potential high-cost case?

Yes

No

Is any defendant charged with a death-penalty-eligible crime?

Yes

No

Is this a RICO Act gang case?

Yes

No Assigned AUSA
(Lead Attorney): Amie D. Rooney

Date Submitted: April 4, 2019

Comments: